IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicants:	Mehmet Sayal et al.	§	Art Unit:	3693
		§		
Serial No.:	10/066,238	§	Conf. No.:	2777
		§		
Filed:	January 30, 2002	§	Examiner:	Jason M. Borlinghaus
		§		
Title:	Trading Partner	§	Docket No.	10010317-1
	Conversation Manager	§		(HPC.0958US)
	Method And System	§		

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P.O. Box 1450
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APPEAL BRIEF

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REAL PARTY IN INTEREST

The Hewlett-Packard Development Company, LP, a limited partnership established under the laws of the State of Texas and having a principal place of business at 20555 S.H. 249 Houston, TX 77070, U.S.A. (hereinafter "HPDC"). HPDC is a Texas limited partnership and is a wholly-owned affiliate of Hewlett-Packard Company, a Delaware Corporation, headquartered in Palo Alto, CA. The general or managing partner of HPDC is HPQ Holdings, LLC.

RELATED APPEALS AND INTERFERENCES

There are no related appeals or interferences.

STATUS OF CLAIMS

The application was originally filed with claims 1-20. Claims 21 and 22 were added during prosecution of the application. Claims 1, 6-8 and 18-20 have been finally rejected and are the subject of this appeal. The final rejections of claims 2-5, 9-14, 21 and 22 are not the subject of this appeal.

STATUS OF AMENDMENTS

All amendments have been entered.

SUMMARY OF CLAIMED SUBJECT MATTER

At this point, no issue has been raised that would suggest that the words in the claims have any meaning other than their ordinary meanings. Nothing in this section should be taken as an indication that any claim term has a meaning other than its ordinary meaning.

The method of independent claim 1 includes receiving a message from an internal business process of a first trading partner, where the message has a first data representation (Specification, ll. 24-28, p. 9 and ll. 1-7, p. 10); and automatically converting the message, which has a first data representation used by the first training partner into a corresponding message that has a communication format specified by an interaction standard for communication outside of the first trading partner to a second trading partner using the interaction standard (Specification, ll. 24-28, p. 9; and ll. 1-7 and 18-28, p. 10).

The system of independent claim 8 includes an internal business process of a first trading partner, where the internal business process uses a first data representation (internal business process 118, Fig. 1; Specification, ll. 24-28, p. 9 and ll. 1-7, p. 10); an interaction standard that specifies a communication format for communication between the first trading partner and a second trading partner (interaction standard 130, Fig. 1; Specification, ll. 24-28, p. 9; and ll. 1-7 and 18-25, p. 10); and a trading partner conversation manager of the first trading partner to manage conversation between the internal business process and the second trading partner by performing format conversion between the first data representation and the interaction standard (TPCM 140, Fig. 1; Specification, ll. 24-28, p. 9; and ll. 1-7 and 18-25, p. 10).

GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

A.   Whether Claims 1 and 8 Are Rendered Obvious under 35 U.S.C. § 103(a) As Being Unpatentable over U.S. Patent Application Publication No. US 2002/0128946 (Chehade) in View of U.S. Patent Application Publication No. US 2002/0078349 (Marso)?

B.   Whether Claims 6, 7 and 18-20 Are Rendered Obvious under 35 U.S.C. § 103(a) As Being Unpatentable over U.S. Patent Application Publication No. US 2002/0128946 (Chehade) in View of U.S. Patent Application Publication No. US 2002/0078349 (Marso), U.S. Patent Application Publication No. US 2003/0101169 (Bhatt) and U.S. Patent No. 6,032,124 (Saito)?

    1.   Whether Claim 6 Is Rendered Obvious under 35 U.S.C. § 103(a) As Being Unpatentable over U.S. Patent Application Publication No. US 2002/0128946 (Chehade) in View of U.S. Patent Application Publication No. US 2002/0078349 (Marso), U.S. Patent Application Publication No. US 2003/0101169 (Bhatt) and U.S. Patent No. 6,032,124 (Saito)?

    2.   Whether Claim 7 Is Rendered Obvious under 35 U.S.C. § 103(a) As Being Unpatentable over U.S. Patent Application Publication No. US 2002/0128946 (Chehade) in View of U.S. Patent Application Publication No. US 2002/0078349 (Marso), U.S. Patent Application Publication No. US 2003/0101169 (Bhatt) and U.S. Patent No. 6,032,124 (Saito)?

    3.   Whether Claim 18 Is Rendered Obvious under 35 U.S.C. § 103(a) As Being Unpatentable over U.S. Patent Application Publication No. US 2002/0128946 (Chehade) in View of U.S. Patent Application Publication No. US 2002/0078349 (Marso), U.S. Patent Application Publication No. US 2003/0101169 (Bhatt) and U.S. Patent No. 6,032,124 (Saito)?

    4.   Whether Claim 19 Is Rendered Obvious under 35 U.S.C. § 103(a) As Being Unpatentable over U.S. Patent Application Publication No. US 2002/0128946 (Chehade) in View of U.S. Patent Application Publication No. US 2002/0078349 (Marso), U.S. Patent Application Publication No. US 2003/0101169 (Bhatt) and U.S. Patent No. 6,032,124 (Saito)?

    5.   Whether Claim 20 Is Rendered Obvious under 35 U.S.C. § 103(a) As Being Unpatentable over U.S. Patent Application Publication No. US 2002/0128946 (Chehade) in View of U.S. Patent Application Publication No. US 2002/0078349 (Marso), U.S. Patent Application Publication No. US 2003/0101169 (Bhatt) and U.S. Patent No. 6,032,124 (Saito)?

ARGUMENT

A.   Whether Claims 1 and 8 Are Rendered Obvious under 35 U.S.C. § 103(a) As Being Unpatentable over U.S. Patent Application Publication No. US 2002/0128946 (Chehade) in View of U.S. Patent Application Publication No. US 2002/0078349 (Marso)?

The method of independent claim 1 includes receiving a message from an internal business process of a first trading partner, where the message has a first data representation; and automatically converting the message, which has a first data representation used by the first training partner into a corresponding message that has a communication format specified by an interaction standard for communication outside of the first trading partner to a second trading partner using the interaction standard.

Independent claim 1 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. US 2002/0128946 (hereinafter called "Chehade") in view of U.S. Patent Application Publication No. US 2002/0078349 (hereinafter called "Marso").

Chehade generally discloses a process management platform 318 (*see, for example*, Fig. 3 of Chehade), which evaluates and routes business process data between trading participants 300-314. Chehade, para. no. [0048]. The process management platform 318 allows an individual trading participant to join a trading community to communicate with multiple trading participants, which purportedly circumvents the need to establish electronic communication with each of these other trading participants. Chehade, para. no. [0049]. Chehade further discloses that the process management platform 318 has the purported ability to validate data and provide a routing service so that if other trading partner participants change (such as computer system changes, location changes and protocol changes), the process management platform 318 may track these changes and route the data accordingly. Chehade, para. no. [0076].

Chehade discloses that the process management platform 318 translates communications between the trading participants when different protocols are used for this communication; and Chehade states that the process management platform 318, "uses table-lookup, database methods, and other methods to seamlessly translate messages from a uniform transaction format understood by trading participant 1 to the format understood by trading participant 2." Chehade, para. no. [0091]. As conceded by the Examiner, Chehade fails to disclose that the conversion of the message occurs internally within the trading participant, i.e., Chehade fails to disclose or

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render obvious converting a message received from an internal business process of a first trading partner into a corresponding message having a communication format specified by an interaction standard for communication outside of the first trading partner to a second trading partner. Final Office Action, p. 4.

Marso generally discloses automating a manual process to sanitize outgoing messages for national security purposes. In this regard, Marso discloses that due to the compartmented national security system of the United States, various users are only to receive selected subsets of information and products produced by the intelligence community. Marso, para. no. [0035]. Marso states, "gathers of this intelligence information and creators of the intelligence product initially are responsible for determining the security level of their output." Marso, para. no. [0035]. Marso explains, "systems which subsequently distribute and further process this information. . .are responsible for ensuring that the integrity of the security classifications are maintained." Marso, para. no. [0035].

For purposes of automating the process to allow data to be distributed and sanitized, Marso discloses a message analysis and generation (MAG) module 118. Marso states, "the module 116 in cooperation with the MAG module 118 accepts classified data from designated communications channels, sanitizes and then reclassifies the data according to user-designated rules, and verifies that the data meets a set of precisely defines and rigorously controlled criteria for release." Marso, para. no. [0038]. Marso adds, "the system 100 disseminates the information only to users cleared for that level of classification and/or compartmentation." Marso, para. no. [0038]. Marso discloses that the MAG module 118 transforms input data from various external formats into an internal data representation of the ADS module 116. Marso, para. no. [0039]. Marso also discloses that the MAG module 118 receives sanitized information from the ADS module 116 in the internal representation and transforms this information into the various external formats of the addressee systems. Marso, para. no. [0039].

To make a determination under 35 U.S.C. § 103, several basic factual inquiries must be performed, including determining the scope and content of the prior art, and ascertaining the differences between the prior art and the claims at issue. *Graham v. John Deere Co.*, 383 U.S. 1, 17, 148 U.S.P.Q. 459 (1965). Moreover, as the U.S. Supreme Court held, it is important to identify a reason that would have prompted a person of ordinary skill in the art to combine

reference teachings in the manner that the claimed invention does. *KSR International Co. v. Teleflex, Inc.*, 127 S. Ct. 1727, 1741, 82 U.S.P.Q.2d 1385 (2007).

In the § 103 rejection of claim 1, the Examiner relies on the hypothetical combination of Chehade and Marso, as set forth on page 4 of the Final Office Action:

> It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Chehade by incorporating the internal conversion process, as disclosed by Marso, thereby providing the first trading partner control of the conversion process and ensuring that the conversion process adheres to the quality standards of the first trading partner.

The § 103 rejection of claim 1 is deficient for at least the reason that the Examiner fails to set forth a plausible reason to explain why the skilled artisan would have combined elements from Chehade and Marso to derive the claimed invention. In this regard, the Examiner's statement that by controlling the conversion process, the first trading partner ensures adherence to its quality control standards is untenable, as there is no reason to believe that Chehade's process management platform 118 would fail to adhere to the same quality as Chehade's trading participants. Moreover, Chehade discloses the use of databases, such as the trader participant profile database, that are accessed by the process management platform 118 for purposes of performing the translations. *See, for example*, Chehade, para. nos. [0091] and [0093]. Therefore, a given trading participant of Chehade may control the conversion quality by updating the database accordingly. No reason has been advanced by the Examiner, to explain why distribution of the conversion/translation from the process management platform 318 to the trading participants would ensure better quality. Such a reason cannot be gleaned from Marso's disclosure, as the internal conversion disclosed in Marso is due to the shear necessity to control the dissemination of national intelligence documents and not for purposes of quality control.

Thus, without the hindsight gleaned from the present application, the skilled artisan would not be apprised of the inventive concept of converting a message received from an internal business process of a first trading partner into a corresponding message having a communication format specified by an interaction standard for communication outside of the first trading partner to a second trading partner. As such, the § 103 rejection of claim 1 is deficient.

The system of independent claim 8 recites a trading partner conversation manager of a first trading partner to manage a conversation between an internal business process of the first

trading partner and a second trading partner by performing format conversion between a first data representation and an interaction standard.

Independent claim 8 also stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Chehade in view of Marso. In particular, the Examiner relies on Marso for the purported teaching of a trading partner conversation manager that manages a conversion between an internal business process and another trading partner. Final Office Action, p. 4. However, for at least the reasons that are set forth above in the discussion of claim 1, the Examiner fails to provide a plausible reason to explain why the skilled artisan would have distributed Chehade's process management platform to its trading participants, as there is no reason to believe that quality could be improved by such a modification, especially in view of Chehade's disclosure of databases that may be updated to guide the transformations. Furthermore, Marso internalizes its format conversions for reasons of maintaining the security of national intelligence documents, not for purposes of, for example, quality control. Thus, there is no apparent reason why the skilled artisan would have modified Chehade in view of Marso to derive the limitations of claim 8. Moreover, there is no reasonable expectation of success in distributing the translation function of Chehade's centralized translation system into its trading participants, absent the hindsight gleaned from the present application. Therefore, for at least any of the foregoing reasons, the § 103 rejection of claim 8 is deficient.

Thus, in view of the foregoing, the § 103 rejections of claims 1 and 8 are in error and should be reversed.

B.   **Whether Claims 6, 7 and 18-20 Are Rendered Obvious under 35 U.S.C. § 103(a) As Being Unpatentable over U.S. Patent Application Publication No. US 2002/0128946 (Chehade) in View of U.S. Patent Application Publication No. US 2002/0078349 (Marso), U.S. Patent Application Publication No. US 2003/0101169 (Bhatt) and U.S. Patent No. 6,032,124 (Saito)?**

   1.   **Whether Claim 6 Is Rendered Obvious under 35 U.S.C. § 103(a) As Being Unpatentable over U.S. Patent Application Publication No. US 2002/0128946 (Chehade) in View of U.S. Patent Application Publication No. US 2002/0078349 (Marso), U.S. Patent Application Publication No. US 2003/0101169 (Bhatt) and U.S. Patent No. 6,032,124 (Saito)?**

The method of claim 6 depends from claim 1 and recites that the act of automatically converting the message having a first data representation into a corresponding message having

the communication format specified by the interaction standard includes retrieving a service definition; retrieving a mark-up language document template; and preparing a mark-up language message that is based on the mark-up language document template.

Claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Chehade in view of Marso, U.S. Patent Application Publication No. US 2003/0101169 (hereinafter called "Bhatt") and U.S. Patent No. 6,032,124 (hereinafter called "Saito"). Claim 6 overcomes the § 103 rejection for at least the same reasons as claim 1, as discussed above. Claim 6 is patentable for at least the additional, independent reasons that are set forth below.

Chehade and Marso are discussed above in the discussion of the § 103 rejections of claims 1 and 8. None of these references disclose or render obvious a conversion processes that involves retrieving a template or preparing a message based on such a template. Neither Bhatt nor Saito disclose or render obvious the missing claim limitations.

More specifically, Bhatt generally discloses a system to store and retrieve XML data in a structured, relational database. Bhatt discloses an XML store engine 340, which transforms unstructured or semi-structured data into transformed objects that can be purportedly queried using standard database methodologies. *See, for example*, Bhatt, para. no. [0074]. Bhatt fails to, however, disclose or render obvious the concept of converting a message having a first data representation into a corresponding message having a communication specified by an interaction standard by retrieving a mark-up language document template and preparing a mark-up language message that is based on the mark-up language document template. Thus, the skilled artisan in possession of Chehade, Marso and Bhatt would not be apprised of the limitations that are introduced in claim 6, other than the general discussion of XML documents. In this regard, neither Chehade, Marso nor Bhatt discloses retrieving a template for data representation translation. Saito fails to disclose or render obvious the missing claim limitations, as Saito appears to be relied on for its mere disclose of a workflow server (*see, for example*, the discussion of claim 18 in the Final Office Action).

Moreover, the Final Office Action fails to discuss the specific limitations of claim 6 and fails to address how the cited art purportedly renders the claimed invention obvious. In this manner, in the § 103 rejection of claim 6, the Examiner merely states the following:

> Regarding Claims 6-7 and 18-20, such claims recite substantially similar limitations as claimed in previously recited rejected claims and, therefore, would have been obvious based upon previously rejected claims or are otherwise disclosed by the prior art applied

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in previously rejected claims. Such claim limitations are therefore rejected using the same art and rationale as previously utilized.

Final Office Action, p. 6. This statement by the Examiner is specious, however, as the specific limitations that are presented in claim 6 are not addressed elsewhere in the Final Office Action. Claim 6 overcomes the § 103 rejection for at least the reason that the Examiner fails to specifically address the limitations of this claim. "All words in a claim must be considered in judging the patentability of that claim against the prior art." *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970); M.P.E.P. § 2143.03. Thus, the Examiner fails to explain how the hypothetical combination of references discloses or renders obvious the limitations; and to the extent that the hypothetical combination fails to disclose or render obvious the claimed invention, the Examiner fails to set forth any reasoning to explain why the skilled artisan would have otherwise derived the missing claim limitations.

For at least any of the foregoing reasons, the § 103 rejection of claim 6 is deficient. Thus, the § 103 rejection of claim 6 is in error and should be reversed.

2.   **Whether Claim 7 Is Rendered Obvious under 35 U.S.C. § 103(a) As Being Unpatentable over U.S. Patent Application Publication No. US 2002/0128946 (Chehade) in View of U.S. Patent Application Publication No. US 2002/0078349 (Marso), U.S. Patent Application Publication No. US 2003/0101169 (Bhatt) and U.S. Patent No. 6,032,124 (Saito)?**

The method of claim 7 depends from claim 2 and recites that the act of automatically converting the second message having the communication format specified by the interaction standard into a corresponding message having the first data representation includes retrieving at least one extensible-markup query language (XQL) query and executing the XQL query to extract the data from the reply.

Claim 7 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Chehade in view of Marso, Bhatt and Saito. Claim 7 overcomes the § 103 rejection for at least the same reasons as claim 1, as discussed above. Claim 7 is patentable for at least the additional, independent reasons that are set forth below.

In the § 103 rejection of claim 7, the Examiner fails to explain why the hypothetical combination of Chehade, Marso, Bhatt and Saito purportedly discloses or renders obvious the claimed invention:

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> Regarding Claims 6-7 and 18-2, such claims recite substantially similar limitations as claimed in previously recited rejected claims and, therefore, would have been obvious based upon previously rejected claims or are otherwise disclosed by the prior art applied in previously rejected claims. Such claim limitations are therefore rejected using the same art and rationale as previously utilized.

Final Office Action, p. 6. The limitations of claim 7, however, differ from the other claims specifically addressed by the Examiner. Claim 7 overcomes the § 103 rejection for at least the reason that the Examiner fails to specifically address the limitations of this claim. "All words in a claim must be considered in judging the patentability of that claim against the prior art." *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970); M.P.E.P. § 2143.03.

Although Bhatt generally discloses an XQL engine 320 for purposes of transforming an XQL request into a logical tree so that the logical tree may be used to access an XML document that is stored in a database(*see, for example*, para. no. [0072] of Bhatt), Bhatt fails to disclose or render obvious retrieving at least one XQL query for purposes of converting a data representation of a message or executing an XQL query to extract data from a reply. Saito appears to be merely relied on for its purported disclosure of a workflow server. Therefore, the hypothetical combination of Chehade, Marso, Bhatt and Saito fails to disclose or render obvious all of the limitations set forth in claim 7; and the Final Office Action fails to set forth any plausible reason to explain why the skilled artisan would have otherwise derived the missing claim limitations.

Thus, for at least any of the reasons set forth above, the § 103 rejection of claim 7 is in error and should be reversed.

3.   **Whether Claim 18 Is Rendered Obvious under 35 U.S.C. § 103(a) As Being Unpatentable over U.S. Patent Application Publication No. US 2002/0128946 (Chehade) in View of U.S. Patent Application Publication No. US 2002/0078349 (Marso), U.S. Patent Application Publication No. US 2003/0101169 (Bhatt) and U.S. Patent No. 6,032,124 (Saito)?**

The method of claim 18 depends from claim 2 and recites that the act of automatically converting the second message having the communication format specified by the interaction standard into the corresponding message having the first data representation includes-retrieving a service name and extensible-markup query language (XQL) queries; parsing the request and extracting data; starting the service and passing data; obtaining service results; retrieving an

extensible markup language (XML) template; preparing an XML response; sending the XML message; and returning control to a workflow server.

Claim 18 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Chehade in view of Marso, Bhatt and Saito. Claim 18 overcomes the § 103 rejection for at least the same reasons as claim 1, as discussed above. Claim 18 overcomes the § 103 rejection for at least the additional, independent reasons that are set forth below.

In the § 103 rejection of claim 18, the Examiner relies on Bhatt for the purported disclosure of retrieving an extensible markup language (XML) template. Final Office Action, p. 6. However, the cited language merely discloses storing and retrieving XML documents in a database. The Final Office Action fails to explain, however, why the skilled artisan would have gleaned from Bhatt the concept of retrieving a template in the conversion of data representations for a message or retrieving an XML template, as neither Chehade, Marso, Bhatt nor Saito disclose retrieving a template for purposes of converting data representations for a message. Thus, for at least this additional, independent reason, the § 103 rejection of claim 18 is deficient.

The § 103 rejection of claim 18 is deficient for at least the additional, independent reason that the hypothetical combination set forth in the Final Office Action fails to disclose or render obvious retrieving a service name, starting the service and obtaining service results. In this manner, the Examiner relies on Chehade for the purported limitations of retrieving queries. Final Office Action, p. 5. The Examiner further relies on Bhatt for the modification of these queries such that the queries are XQL queries. Final Office Action, p. 5. As can be appreciated by the skilled artisan, an XQL query is a database query and is used in this context in Bhatt. It is entirely unclear why the skilled artisan would have modified Chehade's business process data (the alleged queries) to make these queries database queries. In other words, Chehade is directed with communication of messages, not database queries. Thus, the modification that is proposed in the Final Office Action is illogical and would not have occurred, absent hindsight gleaned from the present application.

Therefore, for at least any of the foregoing reasons, the § 103 rejection of claim 18 is in error and should be reversed.

4. **Whether Claim 19 Is Rendered Obvious under 35 U.S.C. § 103(a) As Being Unpatentable over U.S. Patent Application Publication No. US 2002/0128946 (Chehade) in View of U.S. Patent Application Publication No. US 2002/0078349 (Marso), U.S. Patent Application Publication No. US 2003/0101169 (Bhatt) and U.S. Patent No. 6,032,124 (Saito)?**

Claim 19 depends from claim 1 and recites that the act of automatically converting the message having the first data representation into the corresponding message having the communication format specified by the interaction standard includes retrieving a service definition; retrieving an extensible markup language (XML) template; preparing an XML response; and sending the XML message.

Claim 19 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Chehade, Marso, Bhatt and Saito. Claim 19 overcomes the § 103 rejection for at least the same reasons as claim 1. Claim 19 overcomes the § 103 rejection for at least the additional, independent reasons that are set forth below.

In the § 103 rejection of claim 19, the Final Office Action relies on the hypothetical combination of Chehade, Marso, Bhatt and Saito but is entirely unclear as to which elements are combined or the reasons as to their combinations:

> Regarding Claims 6-7 and 18-20, such claims recite substantially similar limitations as claimed in previously recited rejected claims and, therefore, would have been obvious based upon previously rejected claims or are otherwise disclosed by the prior art applied in previously rejected claims. Such claim limitations are therefore rejected using the same art and rationale as previously utilized.

Final Office Action, p. 6.

Claim 19 overcomes the § 103 rejections for at least the additional, independent reason that neither Chehade, Marso, Bhatt nor Saito disclose the concept of retrieving a template or retrieving an XML template in the automatic conversion of a message from one data representation to another. In this manner, although Bhatt discloses the concept of XML documents and the storage and retrieval of these documents to and from a structured database, Blatt fails to disclose or render obvious these limitations. Although Chehade and Marso disclose translating data representations, neither of these references disclose or render obvious the specific message conversion that is set forth in claim 19. Saito appears to be merely relied on for its disclosure of a workflow server. Therefore, the skilled artisan would not have gleaned the explicitly-recited acts of claim 19 in the conversion of a message between one data

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representation to another in view of these references. Furthermore, the Final Office Action fails to explain why the skilled artisan in possession of these references would have otherwise derived retrieving a service definition, retrieving an XML template, preparing an XML response and sending the XML message in view of the cited references. Claim 19 overcomes the § 103 rejection for at least the additional, independent reason that the Examiner fails to specifically address the limitations of this claim. "All words in a claim must be considered in judging the patentability of that claim against the prior art." *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970); M.P.E.P. § 2143.03.

Thus, for at least any of the foregoing reasons, the § 103 rejection of claim 19 is in error and should be reversed.

5. **Whether Claim 20 Is Rendered Obvious under 35 U.S.C. § 103(a) As Being Unpatentable over U.S. Patent Application Publication No. US 2002/0128946 (Chehade) in View of U.S. Patent Application Publication No. US 2002/0078349 (Marso), U.S. Patent Application Publication No. US 2003/0101169 (Bhatt) and U.S. Patent No. 6,032,124 (Saito)?**

Claim 20 depends from claim 19 and further recites that the act of automatically converting the message having the first data representation into the corresponding message having the communication format specified by the interaction standard further includes determining if a response is expected; when a response is not expected, returning control to a workflow server; when a response is expected, waiting for the response, retrieving a service name and extensible-markup query language (XQL) queries, parsing the response and extracting data, and returning control to the workflow server.

Claim 20 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Chehade, Marso, Bhatt and Saito. Claim 20 overcomes the § 103 rejection for at least the same reasons as claim 19. Claim 20 overcomes the § 103 rejection for at least the additional, independent reasons that are set forth below.

The Final Office Action fails to address the limitations that are set forth in claim 20. In this manner, the Final Office Action merely contends that claim 20 recites substantially similar limitations to the other discussed claims. Final Office Action, p. 6. Applicant respectfully submits, however, that the other claims fail to set forth determining if a response is expected, or

when a response is not expected, returning control to the workflow server and when a response is expected, performing the explicitly-recited acts that are set forth in this claim.

Claim 20 overcomes the § 103 rejection for at least the reason that the Examiner fails to specifically address the limitations of this claim. "All words in a claim must be considered in judging the patentability of that claim against the prior art." *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970); M.P.E.P. § 2143.03.
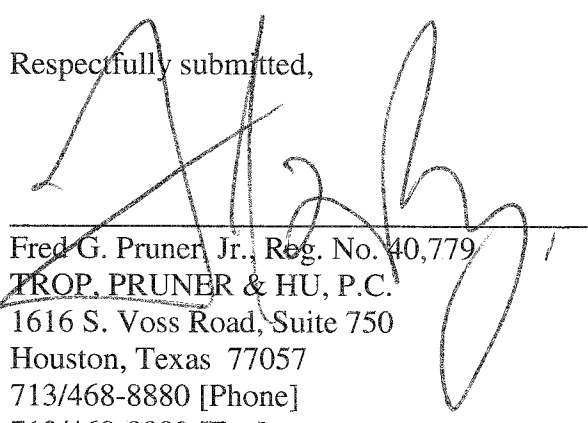
Moreover, the hypothetical combination of Chehade, Marso, Bhatt and Saito fails to disclose or render obvious returning control to a workflow server depending on whether a response is expected. Therefore, even assuming, for purposes of argument, that the workflow server disclosed in Saito may be employed, the specific delegation of tasks as set forth in claim 20 is not shown by the hypothetical combination of references. Moreover, this hypothetical combination fails to disclose or render the specifically-recited acts related to when a response is and is not expected. As the explicitly-recited claim limitations are not addressed in the Final Office Action, the Examiner fails to identify any reason to explain why the skilled artisan in possession of the cited references would have otherwise derived the missing claim limitations.

Thus, for at least any of the foregoing reasons, the § 103 rejection of claim 20 is in error and should be reversed.

Applicant respectfully requests that each of the final rejections be reversed and that the claims subject to this Appeal be allowed to issue.

Respectfully submitted,

Date: October 4, 2010

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CLAIMS APPENDIX

The claims on appeal are:

1.   A method for enabling at least one internal business process of a first trading partner which uses a first data representation, the method comprising:

receiving a message from the internal business process of the first trading partner, the message having the first data representation; and

automatically converting the message having the first data representation into a corresponding message having a communication format specified by an interaction standard for communication outside of the first trading partner to a second trading partner using the interaction standard.

2.   The method of claim 1 further comprising:

in the first trading partner, receiving a second message in the communication format from the second trading partner, the second message having the communication format specified by the interaction standard; and

automatically converting the received message into a corresponding message having the first data representation.

3.   The method of claim 1 wherein the interaction standard is one of a peer-to-peer (P2P) standard and a business-to-business (B2B) standard.

4.   The method of claim 1 wherein the interaction standard is one of RosettaNet and the Common Business Library (CBL) business-to-business (B2B) interaction standards.

5.   The method of claim 1 wherein the internal business process includes at least one workflow.

6. The method of claim 1 wherein the act of automatically converting the message having the first data representation into a corresponding message having the communication format specified by the interaction standard includes:

retrieving a service definition;

retrieving a mark-up language document template; and

preparing a mark-up language message that is based on the mark-up language document template.

7. The method of claim 2 wherein the act of automatically converting the second message having the communication format specified by the interaction standard into a corresponding message having the first data representation includes

retrieving at least one extensible-markup query language (XQL) query; and

executing the XQL query to extract the data from the reply.

8. A system comprising:

a) an internal business process of a first trading partner, the internal business process using a first data representation;

b) an interaction standard that specifies a communication format for communication between the first trading partner and a second trading partner; and

c) a trading partner conversation manager of the first trading partner to manage conversation between the internal business process and the second trading partner by performing format conversion between the first data representation and the interaction standard.

9. The system of claim 8 wherein the trading partner conversation manager automatically converts messages having the first data representation into corresponding messages having the communication format specified by the interaction standard.

10. The system of claim 8 wherein the trading partner conversation manager automatically converts messages having the communication format specified by the interaction standard into corresponding messages having the first data representation.

11.   The system of claim 8 wherein the trading partner conversation manager automatically maps a first message with the first data representation into a corresponding first message in the communication format, and automatically maps a second message in the communication format into a corresponding second message in the first data representation.

12.   The system of claim 8 wherein the interaction standard is one of a peer-to-peer (P2P) standard and a business-to-business (B2B) standard.

13.   The system of claim 8 wherein the interaction standard is one of RosettaNet and the Common Business Library (CBL) business-to-business (B2B) interaction standards.

14.   The system of claim 8 wherein the internal business process includes at least one workflow.

18.   The method of claim 2 wherein the act of automatically converting the second message having the communication format specified by the interaction standard into the corresponding message having the first data representation includes:

    retrieving a service name and extensible-markup query language (XQL) queries;

    parsing the request and extracting data;

    starting the service and passing data;

    obtaining service results;

    retrieving an extensible markup language (XML) template;

    preparing an XML response;

    sending the XML message; and

    returning control to a workflow server.

19.   The method of claim 1 wherein the act of automatically converting the message having the first data representation into the corresponding message having the communication format specified by the interaction standard includes:

retrieving a service definition;

retrieving an extensible markup language (XML) template;

preparing an XML response; and

sending the XML message.

20.   The method of claim 19 wherein the act of automatically converting the message having the first data representation into the corresponding message having the communication format specified by the interaction standard further includes:

determining if a response is expected;

when a response is not expected, returning control to a workflow server;

when a response is expected, waiting for the response, retrieving a service name and extensible-markup query language (XQL) queries, parsing the response and extracting data, and returning control to the workflow server.

21.   The method of claim 1 wherein the interaction standard defines syntax for message exchanges and flow of interactions.

22.   The system of claim 8 wherein the interaction standard defines syntax for message exchanges and flow of interactions.

EVIDENCE APPENDIX

None.

RELATED PROCEEDINGS APPENDIX

None.